

CLOSED,PROTO

**United States District Court
Eastern District of Wisconsin (Milwaukee)
CIVIL DOCKET FOR CASE #: 2:10-cv-00059-JPS**

United States of America et al v. Dean Foods Company
Assigned to: Judge J P Stadtmueller
related Case: [2:10-mc-00075-JPS](#)
Cause: 15:15 Antitrust Litigation

Date Filed: 01/22/2010
Date Terminated: 07/29/2011
Jury Demand: None
Nature of Suit: 410 Anti-Trust
Jurisdiction: U.S. Government Plaintiff

Plaintiff**United States of America**

represented by **Adam Gitlin**
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V.

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Interested Party

Lamers Dairy Increpresented by **Robert N Duimstra**

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312-346-1484

*ATTORNEY TO BE NOTICED***Objector****Red Barn Family Farms**represented by **Robert N Duimstra**

(See above for address)

*ATTORNEY TO BE NOTICED***Objector****Smith Dairy Products Co**represented by **Robert S Driscoll**

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Date Filed	#	Docket Text
01/22/2010	1	COMPLAINT against Dean Foods Company by State of Wisconsin, State of Michigan, State of Illinois, United States of America. Consent forms distributed to plaintiff for Magistrate Judge A E Goodstein. (Attachments: # 1 Civil Cover Sheet)(kah) (Additional attachment(s) added on 4/15/2010: # 2 Searchable Version of Complaint) (kah).
01/25/2010	2	NOTICE Regarding assignment of this matter ; Consent/refusal forms for Magistrate Judge Goodstein to be filed within 21 days. (kah)

01/25/2010	3	REQUEST by State of Illinois to have the \$185.00 Attorney Admission fee waived for Robert W. Pratt. (dmm) (Entered: 01/29/2010)
02/08/2010	4	Refusal to Jurisdiction by US Magistrate Judge by State of Wisconsin. (Cooley, Gwendolyn)
02/09/2010	5	ORDER signed by Judge J P Stadtmueller on 2/9/10 denying 3 Robert Pratt's request for waiver of the prescribed admission fee. See Order. (cc: all counsel)(nm)
02/12/2010	6	Refusal to Jurisdiction by US Magistrate Judge by United States of America. (Richmond, Matthew)
02/12/2010	7	CERTIFICATE OF SERVICE by United States of America (Richmond, Matthew)
02/12/2010	8	Expedite MOTION for Extension of Time to File Answer <i>or Responsive Pleading</i> by Dean Foods Company. (Attachments: # 1 Exhibit Declaration of Michael Farber, # 2 Text of Proposed Order)(Fishbach, Nathan)
02/12/2010	9	DISCLOSURE Statement by Dean Foods Company. (Fishbach, Nathan)
02/12/2010	10	Refusal to Jurisdiction by US Magistrate Judge by State of Michigan. (Attachments: # 1 Certificate of Service)(Pascoe, D)
02/12/2010	11	CERTIFICATE OF SERVICE by Dean Foods Company (Fishbach, Nathan)
02/12/2010	12	Refusal to Jurisdiction by US Magistrate Judge by Dean Foods Company. (Fishbach, Nathan)
02/12/2010	13	CERTIFICATE OF SERVICE by Dean Foods Company (Fishbach, Nathan)
02/16/2010	14	ORDER signed by Judge J P Stadtmueller on 2/16/10 granting 8 defendant's Motion for Extension of Time to File a Responsive Pleading; Dean Foods Company's responsive pleading due 2/19/2010. (cc: all counsel) (nm)
02/18/2010	15	MOTION to Dismiss <i>or, in the Alternative, for a More Definite Statement</i> by Dean Foods Company. (Fishbach, Nathan). Added MOTION for More Definite Statement on 2/19/2010 (kah).
02/18/2010	16	BRIEF in Support filed by Dean Foods Company re 15 MOTION to Dismiss <i>or, in the Alternative, for a More Definite Statement</i> . (Attachments: # 1 Exhibit Tab A, # 2 Exhibit Tab B, # 3 Exhibit Tab C, # 4 Exhibit Tab D)(Fishbach, Nathan)
02/18/2010	17	CERTIFICATE OF SERVICE by Dean Foods Company (Fishbach, Nathan)
02/19/2010		NOTICE of Electronic Filing Error re 15 MOTION to Dismiss <i>or, in the Alternative, for a More Definite Statement</i> filed by Dean Foods Company ; When filing motions which contain multiple parts the filer should select all applicable parts from the motion event list (in this instance, Dismiss and More Definite Statement should have been chosen). This document does not need to be refiled. Please refer to the user manuals on electronic case filing found at www.wied.uscourts.gov (kah)
03/10/2010	18	Joint MOTION for Protective Order by Dean Foods Company, State of Michigan, State of Wisconsin, United States of America. (Attachments: # 1 Text of Proposed Order Exhibit 1)(Fishbach, Nathan)

03/10/2010	19	CERTIFICATE by Dean Foods Company <i>Regarding Joint Motion for Protective Order</i> (Fishbach, Nathan)
03/10/2010	20	CERTIFICATE OF SERVICE by Dean Foods Company (Fishbach, Nathan)
03/11/2010	21	RESPONSE to Motion filed by All Plaintiffs re 15 MOTION to Dismiss <i>or, in the Alternative, for a More Definite Statement</i> MOTION for More Definite Statement. (Kantor, Ryan) (Additional attachment(s) added on 4/15/2010: # 1 Searchable Version of Response) (kah).
03/11/2010	22	CERTIFICATE OF SERVICE by All Plaintiffs (Kantor, Ryan)
03/25/2010	23	REPLY BRIEF in Support filed by Dean Foods Company re 15 MOTION to Dismiss <i>or, in the Alternative, for a More Definite Statement</i> MOTION for More Definite Statement. (Attachments: # 1 Certificate of Service)(Fishbach, Nathan)
04/05/2010	24	NOTICE of Appearance by Paul T Denis on behalf of Dean Foods Company. Attorney(s) appearing: Paul T. Denis, Steven G. Bradbury, Michael D. Farber (Denis, Paul)
04/07/2010	25	ORDER signed by Judge J P Stadtmueller on 4/7/10 denying 15 defendant's Motion to Dismiss <i>or, in the Alternative, for a More Definite Statement</i> . See Order. (cc: all counsel) (nm)
04/14/2010	26	ORDER signed by Judge J P Stadtmueller on 4/14/10 that counsel for the parties shall confer within 21 days of the date of this order and on or before 5/21/10 file with the court a single joint written report addressing the items specified together with a separate proposed scheduling order for the court's signature; the court's participation in the Pilot Program initiated by the Seventh Circuit Electronic Discovery Committee is explained herein and the parties are directed to comport their conduct consistent with the committee's Principles Relating to the Discovery of Electronically Stored Information. See Order. (cc: all counsel)(nm) (cc: all counsel)(nm)
04/14/2010	27	Joint MOTION to Amend/Correct Exhibit 1 of Plaintiffs' and Defendant's Joint Motion for Entry of a Protective Order (Doc. 18-1) by Dean Foods Company, State of Michigan, State of Wisconsin, United States of America. (Attachments: # 1 Text of Proposed Order)(Fishbach, Nathan)
04/15/2010	28	LETTER from William Cavanaugh. (Knepel, Susan)
04/21/2010	29	ANSWER to 1 Complaint, by Dean Foods Company. (Attachments: # 1 Certificate of Service)(Fishbach, Nathan)
05/20/2010	30	PROTECTIVE ORDER signed by Judge J P Stadtmueller on 5/20/10 specifying the terms that shall control confidential information produced or disclosed during the discovery and/or trial of this matter. See Order. (cc: all counsel)(nm)
05/21/2010	31	REPORT of Rule 26(f) Plan by All Parties. (Attachments: # 1 Text of Proposed Order Ex. 1 Plaintiffs' Proposed Scheduling and Case Management Order, # 2 Text of Proposed Order Ex. 2 Defendant's Proposed Scheduling and Case Management Order, # 3 Supplement Stipulation Regarding Preservation and Discovery, # 4 Certificate of Service)(Fishbach, Nathan)

06/03/2010	32	SCHEDULING ORDER signed by Judge J P Stadtmueller on 6/3/10 as follows: Initial Disclosures due by 5/27/10; Amended Pleadings due by 6/25/10; Supplement to Initial Disclosures due by 12/13/10; Fact Discovery due by 2/21/11; Plaintiffs' Fact Witness List due by 8/10/10; Defendant's Fact Witness List due by 8/25/10; Amendments to Fact Witness Lists due by 3/23/11; Depositions of Fact Witnesses to be completed by 5/6/11; Expert Witness Lists due by 3/23/11; Expert Rebuttal Reports due by 4/7/11; Expert Depositions to be completed by 5/20/11; Dispositive Motions due by 6/20/11. See Order. (cc: all counsel)(nm)
06/03/2010		Set/Reset Deadlines: Expert Witness Lists due by 3/23/11 (nm)
07/23/2010	33	MOTION to Compel <i>Answer to the First Interrogatory</i> by Dean Foods Company. (Attachments: # 1 Text of Proposed Order, # 2 Certificate of Service)(Fishbach, Nathan)
07/23/2010	34	BRIEF in Support filed by Dean Foods Company re 33 MOTION to Compel <i>Answer to the First Interrogatory of Dean Foods Company</i> . (Fishbach, Nathan)
07/23/2010	35	CERTIFICATE by Dean Foods Company re <i>Fed. R. Civ. P. 37(A)(1)(III) and Civil L.R. 37 Conference</i> (Fishbach, Nathan)
07/23/2010	36	DECLARATION of Steven G. Bradbury in Support of Motion to Compel <i>a Discovery Response</i> . (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7)(Fishbach, Nathan)
07/26/2010		NOTICE of Electronic Filing Error re 35 Certificate filed by Dean Foods Company, 33 MOTION to Compel <i>Answer to the First Interrogatory</i> filed by Dean Foods Company, 34 Brief in Support of Motion filed by Dean Foods Company ; All documents should contain the s/signature of the attorney who files the document. These documents do not need to be re-filed; Please refer to the user manuals on electronic case filing found at www.wied.uscourts.gov (kah)
08/13/2010	37	NOTICE of Appearance by Susan M Knepel on behalf of United States of America. Attorney(s) appearing: Susan M. Knepel (Knepel, Susan)
08/13/2010	38	RESPONSE to Motion filed by State of Illinois, State of Michigan, State of Wisconsin, United States of America re 33 MOTION to Compel <i>Answer to the First Interrogatory</i> . (Knepel, Susan)
08/13/2010	39	DECLARATION of Joshua Soven. (Knepel, Susan)
08/13/2010	40	DECLARATION of Karl Knutsen. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Knepel, Susan)
08/27/2010	41	REPLY BRIEF in Support filed by Dean Foods Company re 33 MOTION to Compel <i>Answer to the First Interrogatory</i> . (Attachments: # 1 Exhibit Exhibit 8, # 2 Exhibit Exhibit 9)(Bradbury, Steven)
08/27/2010	42	CERTIFICATE OF SERVICE by Dean Foods Company (Bradbury, Steven)
09/01/2010	43	MOTION for Leave to File <i>a Surreply</i> by United States of America. (Knepel, Susan)
09/01/2010	44	PROPOSED SUR-REPLY filed by State of Illinois, State of Michigan, State of Wisconsin, United States of America re 43 MOTION for Leave to File <i>a Surreply</i> .

		(Attachments: # 1 Unpublished Opinion, # 2 Unpublished Opinion, # 3 Unpublished Opinion)(Knepel, Susan) Modified text to add "proposed" on 9/2/2010 (kah). Modified text per 50 Order on 9/29/2010 (kah).
09/09/2010	45	OBJECTIONS by J&R Dairy Service Inc to Subpoena Pursuant to Rule 45. (kah)
09/09/2010	46	Notice of Filing & CERTIFICATE OF SERVICE by J&R Dairy Service Inc (kah)
09/17/2010	47	MOTION to Quash <i>or Modify Subpoena</i> by Red Barn Family Farms. (Duimstra, Robert). Added MOTION to Modify on 9/17/2010 (kah).
09/17/2010		NOTICE of Electronic Filing Error re 47 MOTION to Quash <i>or Modify Subpoena</i> filed by Red Barn Family Farms ; When filing motions which contain multiple parts the filer should select all applicable parts from the motion event list (In this instance, Quash and Modify should have been chosen); This document does not need to be refiled. Please refer to the user manuals on electronic case filing found at www.wied.uscourts.gov (kah)
09/23/2010	48	MOTION to Quash <i>Subpoena Duces Tecum</i> by Smith Dairy Products Co. (Attachments: # 1 Exhibit)(Driscoll, Robert)
09/23/2010	49	CERTIFICATE OF SERVICE by Smith Dairy Products Co (Driscoll, Robert)
09/28/2010	50	ORDER signed by Judge J P Stadtmueller on 9/28/10 granting 43 plaintiffs' Motion for Leave to File a Sur-Reply. (cc: all counsel) (nm)
09/30/2010	51	BRIEF in Opposition filed by Dean Foods Company re 47 MOTION to Quash <i>or Modify Subpoena</i> MOTION to Modify by Red Barn Family Farms. (Attachments: # 1 Exhibit A)(Bradbury, Steven)
10/05/2010	52	CERTIFICATE by Smith Dairy Products Co <i>Civil Local Rule 7(a)(2)</i> (Driscoll, Robert)
10/05/2010	53	CERTIFICATE OF SERVICE by Smith Dairy Products Co (Driscoll, Robert)
10/08/2010	54	ORDER signed by Judge J P Stadtmueller on 10/8/10 granting 33 defendant's Motion to Compel Answer to the First Interrogatory of Dean Foods Company; the plaintiffs shall respond to defendants First Interrogatory within 30 days from the date of this order. See Order. (cc: all counsel) (nm)
10/11/2010	55	LETTER from Robert S. Driscoll. (Driscoll, Robert)
10/11/2010	56	CERTIFICATE OF SERVICE by Smith Dairy Products Co (Driscoll, Robert)
12/03/2010	57	MOTION to Compel <i>Compliance With Subpoena Duces Tecum</i> by Dean Foods Company. (Attachments: # 1 Letter, # 2 Text of Proposed Order, # 3 Certificate of Service)(Zabawa, Barbara)
12/03/2010	58	BRIEF in Support filed by Dean Foods Company re 57 MOTION to Compel <i>Compliance With Subpoena Duces Tecum</i> . (Zabawa, Barbara)
12/03/2010	59	DECLARATION of David L. Sluis, Esq. <i>in Support of Motion To Compel Compliance with Subpoena Duces Tecum</i> . (Attachments: # 1 Exhibit A-Complaint, # 2 Exhibit B-Subpoena In A Civil Case to Lamers Dairy, # 3 Exhibit C-Proof of Service of Subpoena to Lamers Dairy, # 4 Exhibit D-Protective Order)(Zabawa, Barbara)
12/03/2010	60	CERTIFICATE OF SERVICE by Dean Foods Company (Zabawa, Barbara)

12/08/2010	61	AFFIDAVIT CERTIFICATE OF SERVICE by Dean Foods Company <i>regarding Affidavit of Service for Motion to Compel documents served upon Mark J. Lamers on December 6, 2010</i> (Zabawa, Barbara) Modified on 12/9/2010 (msc).
12/08/2010	62	CERTIFICATE OF SERVICE by Dean Foods Company (Zabawa, Barbara)
12/15/2010	63	STIPULATION <i>Requesting Amendments to Schedule</i> by Dean Foods Company, State of Illinois, State of Michigan, State of Wisconsin, United States of America. (Attachments: # 1 Text of Proposed Order Stipulated Order Amending Schedule, # 2 Certificate of Service)(Bradbury, Steven)
12/22/2010	64	ORDER signed by Judge J P Stadtmueller on 12/22/10 that pursuant to 63 the Stipulation of the parties, the Scheduling Order in this matter is amended as follows: Fact Discovery due by 6/21/11; Amendments to Fact Witness Lists due by 7/1/11; Parties may depose any added or substituted witnesses no later than 8/19/11; Depositions to be conducted as specified herein; Production of Document deadlines as specified herein; Parties' Expert Witness Lists/Reports due by 7/1/11; Rebuttal Expert Lists/Reports due by 7/29/11; Expert Depositions to be completed no later than 9/1/11; Dispositive Motions due by 10/3/11. No further extensions will be granted. (cc: all counsel)(nm)
12/22/2010	65	MOTION to Quash <i>or Modify Subpoena and In Opposition to Motion to Compel Compliance with Subpoena Duces Tecum</i> by Lamers Dairy, Inc.. (Duimstra, Robert)
12/22/2010	66	BRIEF in Opposition filed by Lamers Dairy, Inc. re 57 MOTION to Compel <i>Compliance With Subpoena Duces Tecum</i> . (msc) (Entered: 12/23/2010)
12/23/2010		NOTICE of Electronic Filing Error re 65 MOTION to Quash <i>or Modify Subpoena and In Opposition to Motion to Compel Compliance with Subpoena Duces Tecum</i> filed by Lamers Dairy, Inc. ; This document should have been filed as two separate events. MOTION to Quash and BRIEF in Opposition. This document does not need to be refiled; Please refer to the user manuals on electronic case filing found at www.wied.uscourts.gov (msc)
01/03/2011	67	ORDER signed by Judge J P Stadtmueller on 1/3/11 denying 47 Red Barn Family Farm's Motion to Quash or Modify Subpoena. See Order. (cc: all counsel) (nm)
01/06/2011	68	BRIEF in Opposition filed by Dean Foods Company re 65 MOTION to Quash <i>or Modify Subpoena and In Opposition to Motion to Compel Compliance with Subpoena Duces Tecum</i> . (Zabawa, Barbara)
02/03/2011	69	ORDER signed by Judge J P Stadtmueller on 2/3/11 granting in part and denying in part 57 defendant's motion to compel compliance with subpoena duces tecum; granting in part and denying in part 65 plaintiff's motion to quash or modify the subpoena - Lamers shall produce the documents consistent with the rulings of the court herein within 30 days from the date of this order. See Order. (cc: all counsel) (nm)
03/29/2011	70	STIPULATION by United States of America. (Attachments: # 1 Text of Proposed Order, # 2 Text of Proposed Final Judgment)(Haanstad, Gregory)
03/29/2011	71	STATEMENT by United States of America <i>Competitive Impact</i> . (Haanstad, Gregory)

03/29/2011	72	BRIEF filed by United States of America re 70 Stipulation, 71 Statement <i>Explanation of Consent Decree Procedures</i> . (Haanstad, Gregory)
03/29/2011	73	STIPULATION <i>Joint Stipulation of the State of Michigan and Dean Foods Company Requesting Entry of Supplemental Stipulated Order</i> by Dean Foods Company. (Attachments: # 1 Text of Proposed Order Supplemental Stipulated Order)(Fishbach, Nathan)
04/12/2011	74	ORDER signed by Judge J P Stadtmueller on 4/12/11 that 73 the Stipulation filed 3/29/11 is approved and the parties are ordered to comply with the terms of the Stipulation. (cc: all counsel)(nm)
04/12/2011	75	SUPPLEMENTAL STIPULATED ORDER signed by Judge J P Stadtmueller on 4/12/11 outlining Dean Foods' commitment to bid on school milk sales for 2011-12 school year. See Order. (cc: all counsel)(nm)
04/14/2011	76	LETTER from Charles Bohl. (Bohl, Charles)
04/15/2011	77	LETTER from Charles Bohl <i>re. Order</i> . (Bohl, Charles)
06/27/2011	78	Report from Dean Foods Company <i>Report and Certification of Compliance with Tunney Act</i> . (Denis, Paul)
07/20/2011	79	MOTION for Judgment with BRIEF IN SUPPORT by United States of America. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Knepel, Susan) Modified on 7/21/2011 (msc).
07/21/2011		NOTICE of Electronic Filing Error re 79 MOTION for Judgment filed by United States of America ; The Brief in Support should been filed as a separate entry. This document does not need to be re-filed; Please refer to the policies and procedures for electronic case filing found at www.wied.uscourts.gov (msc)
07/29/2011	80	FINAL JUDGMENT signed by Judge J P Stadtmueller and entered by Deputy Clerk on 7/29/11 outlining the agreement of the parties in resolution of this civil antitrust action. See Judgment. (cc: all counsel)(nm)
08/03/2011	81	NOTICE by United States of America <i>Of Extension of Time</i> (Knepel, Susan)
08/17/2011	82	NOTICE by United States of America <i>of Second Extension of Time</i> (Knepel, Susan)